

REMARKSA. Background

Claims 1-21 were pending in the application at the time of the Office Action. Claims 1-6, 9-16, and 19-21 were rejected as being anticipated by cited art. Claims 7, 8, 17, and 18 were either allowed or objected to as being dependent upon a rejected base claim. Applicant has not amended, cancelled, or added claims by this response.

B. Rejection on the Merits

The present invention claims priority to Swedish Application Serial No. 0100014-0. A certified copy of this application was submitted to the PTO by Express Mail on March 25, 2002. Applicant notes that the present Office Action does not acknowledge the claim to foreign priority nor receipt of the certified copy of the Swedish application. Applicant thus respectfully requests that the Examiner acknowledge the claim for foreign priority and receipt of the certified copy.

Paragraph 1 of the Office Action rejected claims 1-6, 9-16, and 19-21 under 35 USC § 102(c) as being anticipated by U.S. Patent No. 6, 813,502 to Son et al.<sup>1</sup> Applicant respectfully traverses the rejection.

*Son* discloses transmitting a request for information from a wireless device 130 to a server 136, which request may be accompanied by position data regarding a user's current position. In response, server 136 retrieves the information requested from a database 138 (col. 8, lines 13-18). If position data accompanied the request, the position data is used by server 136 to adapt the content such that the content is relevant to the position of wireless device 130, since the

<sup>1</sup> Because *Son* is only citable under 35 U.S.C. § 102(c), Applicant does not admit that *Son* is in fact prior art to the claimed invention but reserves the right to swear behind *Son* if necessary to remove it as a reference.

request from wireless device 130 may relate to driving directions, services in the vicinity of the user, etc. (see col. 2, lines 1-6).

The independent claims of the present invention, on the other hand, relate to a method of a server which requests the radio transferring capabilities of a wireless station and adapts the information content to be transmitted to the wireless station based upon the response from the wireless station to the request (claim 1), and a method of the wireless station which receives the request and transmits a corresponding response including information relating the radio transferring capabilities associated with the wireless communication station (claim 12). That is, the information content transmitted from the server is adapted to the radio transferring capabilities of a wireless station. The dependent claims further define various embodiments of these radio transferring capabilities. Applicant respectfully submits that *Son* does not disclose or suggest any of the elements in either of the aforementioned independent claims.

For example, nowhere does *Son* disclose:

- a request being made from the server to the wireless device
- a request by the server for radio transferring capabilities of the wireless device
- a response by the wireless device which includes information relating the radio transferring capabilities of the wireless device
- an adaptation by the server of information content in view of the radio transferring capabilities of the wireless station.

In view of the foregoing, applicant submits that independent claims 1 and 12 are clearly not anticipated by the *Son* reference.

Claims 2-6, and 9-11 depend from claim 1 and claims 13-16, and 19-21 depend from claim 12 and thus incorporate the limitations thereof. As such, applicant submits that claims 2-6, 9-11, 13-16, and 19-21 are distinguished over the cited art for at least the same reasons as discussed above with regard to claims 1 and 12.

Paragraph 2 of the Office Action objects to claims 7, 8, 17, and 18 as being dependent upon a rejected base claims but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Since the claims from which claims 7, 8, 17, and 18 are distinguishable over the cited art for at least the reasons as set forth above, applicant submits that claims 7, 8, 17, and 18 are now in condition for allowance.

No other objections or rejections are set forth in the Office Action.

C. Conclusion

Applicant notes that this response does not discuss every reason why the claims of the present application are distinguished over the cited art. Most notably, applicant submits that many if not all of the dependent claims are independently distinguishable over the cited art. Applicant has merely submitted those arguments which it considers sufficient to clearly distinguish the claims over the cited art.

In view of the foregoing, applicant respectfully requests the Examiner's reconsideration and allowance of claims 1-21 as amended and presented herein.

In the event there remains any impediment to allowance of the claims which could be clarified in a telephonic interview, the Examiner is respectfully requested to initiate such an interview with the undersigned.

Dated this 5<sup>th</sup> day of January 2006.

Respectfully submitted,



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